

SEC. 376. IMPLEMENTATION OF COMPTROLLER GENERAL RECOMMENDATIONS ON PREVENTING TACTICAL VEHICLE TRAINING ACCIDENTS.

(a) **PLAN REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense committees and to the Comptroller General of the United States a plan to address the recommendations in the report by the Comptroller General entitled “Army and Marine Corps Should Take Additional Actions to Mitigate and Prevent Training Accidents” (GAO-21-361).

(2) **ELEMENTS.**—Each plan submitted under paragraph (1) shall include, with respect to each recommendation in the report described in such paragraph that the Secretary concerned has implemented or intends to implement—

(A) a summary of actions that have been or will be taken to implement the recommendation; and

(B) a schedule, with specific milestones, for completing implementation of the recommendation.

(b) **DEADLINE FOR IMPLEMENTATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), not later than 18 months after the date of the enactment of this Act, each Secretary concerned shall carry out activities to implement the plan of the Secretary developed under subsection (a).

(2) **EXCEPTION FOR IMPLEMENTATION OF CERTAIN RECOMMENDATIONS.**—

(A) **DELAYED IMPLEMENTATION.**—A Secretary concerned may initiate implementation of a recommendation in the report described in subsection (a) after the date specified in paragraph (1) if, on or before such date, the Secretary provides to the congressional defense committees a specific justification for the delay in implementation of such recommendation.

(B) **NONIMPLEMENTATION.**—A Secretary concerned may decide not to implement a recommendation in the report described in subsection (a) if, on or before the date specified in paragraph (1), the Secretary provides to the congressional defense committees—

(i) a specific justification for the decision not to implement the recommendation; and

(ii) a summary of alternative actions the Secretary plans to take to address the conditions underlying the recommendation.

(c) **SECRETARY CONCERNED DEFINED.**—In this section, the term “Secretary concerned” means—

(1) the Secretary of the Army, with respect to matters concerning the Army; and

(2) the Secretary of the Navy, with respect to matters concerning the Navy.

SA 4391. Mr. VAN HOLLEN (for himself, Mr. CARPER, Mr. BLUMENTHAL, Mr. WYDEN, Mr. DURBIN, Mr. CASEY, Mr. KAINE, Mr. HEINRICH, and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—District of Columbia National Guard Home Rule

SEC. 1071. SHORT TITLE.

This subtitle may be cited as the “District of Columbia National Guard Home Rule Act”.

SEC. 1072. EXTENSION OF NATIONAL GUARD AUTHORITIES TO MAYOR OF THE DISTRICT OF COLUMBIA.

(a) **MAYOR AS COMMANDER-IN-CHIEF.**—Section 6 of the Act entitled “An Act to provide for the organization of the militia of the District of Columbia, and for other purposes”, approved March 1, 1889 (sec. 49-409, D.C. Official Code), is amended by striking “President of the United States” and inserting “Mayor of the District of Columbia”.

(b) **RESERVE CORPS.**—Section 72 of such Act (sec. 49-407, D.C. Official Code) is amended by striking “President of the United States” each place it appears and inserting “Mayor of the District of Columbia”.

(c) **APPOINTMENT OF COMMISSIONED OFFICERS.**—(1) Section 7(a) of such Act (sec. 49-301(a), D.C. Official Code) is amended—

(A) by striking “President of the United States” and inserting “Mayor of the District of Columbia”; and

(B) by striking “President.” and inserting “Mayor.”.

(2) Section 9 of such Act (sec. 49-304, D.C. Official Code) is amended by striking “President” and inserting “Mayor of the District of Columbia”.

(3) Section 13 of such Act (sec. 49-305, D.C. Official Code) is amended by striking “President of the United States” and inserting “Mayor of the District of Columbia”.

(4) Section 19 of such Act (sec. 49-311, D.C. Official Code) is amended—

(A) in subsection (a), by striking “to the Secretary of the Army” and all that follows through “which board” and inserting “to a board of examination appointed by the Commanding General, which”; and

(B) in subsection (b), by striking “the Secretary of the Army” and all that follows through the period and inserting “the Mayor of the District of Columbia, together with any recommendations of the Commanding General.”.

(5) Section 20 of such Act (sec. 49-312, D.C. Official Code) is amended—

(A) by striking “President of the United States” each place it appears and inserting “Mayor of the District of Columbia”; and

(B) by striking “the President may retire” and inserting “the Mayor may retire”.

(d) **CALL FOR DUTY.**—(1) Section 45 of such Act (sec. 49-103, D.C. Official Code) is amended by striking “, or for the United States Marshal” and all that follows through “shall thereupon order” and inserting “to order”.

(2) Section 46 of such Act (sec. 49-104, D.C. Official Code) is amended by striking “the President” and inserting “the Mayor of the District of Columbia”.

(e) **GENERAL COURTS MARTIAL.**—Section 51 of such Act (sec. 49-503, D.C. Official Code) is amended by striking “the President of the United States” and inserting “the Mayor of the District of Columbia”.

SEC. 1073. CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.

(a) **FAILURE TO SATISFACTORILY PERFORM PRESCRIBED TRAINING.**—Section 10148(b) of title 10, United States Code, is amended by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”.

(b) **APPOINTMENT OF CHIEF OF NATIONAL GUARD BUREAU.**—Section 10502(a)(1) of such title is amended by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”.

(c) **VICE CHIEF OF NATIONAL GUARD BUREAU.**—Section 10505(a)(1)(A) of such title is amended by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”.

(d) **OTHER SENIOR NATIONAL GUARD BUREAU OFFICERS.**—Section 10506(a)(1) of such title is

amended by striking “the commanding general of the District of Columbia National Guard” both places it appears and inserting “the Mayor of the District of Columbia”.

(e) **CONSENT FOR ACTIVE DUTY OR RELOCATION.**—(1) Section 12301 of such title is amended—

(A) in subsection (b), by striking “commanding general of the District of Columbia National Guard” in the second sentence and inserting “Mayor of the District of Columbia”; and

(B) in subsection (d), by striking the period at the end and inserting the following: “, or, in the case of the District of Columbia National Guard, the Mayor of the District of Columbia.”.

(2) Section 12406 of such title is amended by striking “the commanding general of the National Guard of the District of Columbia” and inserting “the Mayor of the District of Columbia”.

(f) **CONSENT FOR RELOCATION OF UNITS.**—Section 18238 of such title is amended by striking “the commanding general of the National Guard of the District of Columbia” and inserting “the Mayor of the District of Columbia”.

SEC. 1074. CONFORMING AMENDMENTS TO TITLE 32, UNITED STATES CODE.

(a) **MAINTENANCE OF OTHER TROOPS.**—Section 109(c) of title 32, United States Code, is amended by striking “(or commanding general in the case of the District of Columbia)”.

(b) **DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.**—Section 112(h)(2) of such title is amended by striking “the Commanding General of the National Guard of the District of Columbia” and inserting “the Mayor of the District of Columbia”.

(c) **ADDITIONAL ASSISTANCE.**—Section 113 of such title is amended by adding at the end the following new subsection:

“(e) **INCLUSION OF DISTRICT OF COLUMBIA.**—In this section, the term ‘State’ includes the District of Columbia.”.

(d) **APPOINTMENT OF ADJUTANT GENERAL.**—Section 314 of such title is amended—

(1) by striking subsection (b);

(2) by redesignating subsections (c) and (d) as subsections and (c), respectively; and

(3) in subsection (b) (as so redesignated), by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia.”.

(e) **RELIEF FROM NATIONAL GUARD DUTY.**—Section 325(a)(2)(B) of such title is amended by striking “commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”.

(f) **AUTHORITY TO ORDER TO PERFORM ACTIVE GUARD AND RESERVE DUTY.**—

(1) **AUTHORITY.**—Subsection (a) of section 328 of such title is amended by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”.

(2) **CLERICAL AMENDMENTS.**—

(A) **SECTION HEADING.**—The heading of such section is amended to read as follows:

“SEC. 328. ACTIVE GUARD AND RESERVE DUTY: AUTHORITY OF CHIEF EXECUTIVE.”.

(B) **TABLE OF SECTIONS.**—The table of sections at the beginning of chapter 3 of such title is amended by striking the item relating to section 328 and inserting the following new item:

“328. Active Guard and Reserve duty: authority of chief executive.”.

(g) **PERSONNEL MATTERS.**—Section 505 of such title is amended by striking “commanding general of the National Guard of the District of Columbia” in the first sentence and inserting “Mayor of the District of Columbia”.

(h) NATIONAL GUARD CHALLENGE PROGRAM.—Section 509 of such title is amended—

(1) in subsection (c)(1), by striking “the commanding general of the District of Columbia National Guard, under which the Governor or the commanding general” and inserting “the Mayor of the District of Columbia, under which the Governor or the Mayor”;

(2) in subsection (g)(2), by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”;

(3) in subsection (j), by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”; and

(4) in subsection (k), by striking “the commanding general of the District of Columbia National Guard” and inserting “the Mayor of the District of Columbia”.

(i) ISSUANCE OF SUPPLIES.—Section 702(a) of such title is amended by striking “commanding general of the National Guard of the District of Columbia” and inserting “Mayor of the District of Columbia”.

(j) APPOINTMENT OF FISCAL OFFICER.—Section 708(a) of such title is amended by striking “commanding general of the National Guard of the District of Columbia” and inserting “Mayor of the District of Columbia”.

SEC. 1075. CONFORMING AMENDMENT TO THE DISTRICT OF COLUMBIA HOME RULE ACT.

Section 602(b) of the District of Columbia Home Rule Act (sec. 1-206.02(b), D.C. Official Code) is amended by striking “the National Guard of the District of Columbia.”.

SA 4392. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title III, add the following:

SEC. 376. BRIEFING AND REPORT ON APPROACH FOR CERTAIN PROPERTIES AFFECTED BY NOISE FROM MILITARY FLIGHT OPERATIONS.

(a) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the use and applicability of the Air Installations Compatible Use Zones program of the Department of Defense to support noise mitigation and insulation efforts for fixed wing aircraft, including any such efforts funded under grants from the Office of Local Defense Community Cooperation of the Department.

(b) MATTERS.—The briefing under subsection (a) shall include a discussion of the following:

(1) Changes to current practices regarding the Air Installations Compatible Use Zones program that are necessary to support noise mitigation and insulation efforts relating to existing covered facilities.

(2) The number of fixed wing aircraft facilities covered by existing studies under such program.

(3) The proportion of existing studies under such program that accurately reflect current and reasonably foreseeable fixed wing aviation activity.

(4) Expected timelines for each military department to develop and update all studies

under such program to reflect current and reasonably foreseeable fixed wing activity.

(5) An approximate number of covered facilities anticipated to be within the 65 decibel day-night average sound level for installations with existing studies under such program, including such facilities specifically located in crash zones or accident potential zones.

(6) An assessment of the viability of making eligibility to receive funding for noise mitigation and insulation efforts contingent on the completion of certain measures to ensure compatibility of civilian land use activity with conclusions under such program.

(7) Any barriers to the timely review and generation of studies under such program, including with respect to staffing and gaps in authorities.

(8) The estimated cost to develop and update required practices and studies under such program.

(9) Future opportunities to consult with local communities affected by noise from military flight operations.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the final outcome of the update process being undertaken by the Secretary with respect to the Air Installations Compatible Use Zones program.

(2) ELEMENTS.—The report required by paragraph (1) shall include further details and analysis with respect to each matter specified in subsection (b).

(d) DEFINITIONS.—In this section:

(1) The term “Air Installations Compatible Use Zones program” has the meaning given such term in Department of Defense Instruction 4165.57.

(2) The term “covered facility” means any—

(A) private residence;

(B) hospital;

(C) daycare facility;

(D) school; or

(E) facility the primary purpose of which is to serve senior citizens.

SA 4393. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. PROVIDING END-TO-END ELECTRONIC VOTING SERVICES FOR ABSENT UNIFORMED SERVICES VOTERS IN LOCATIONS WITH LIMITED OR IMMATURE POSTAL SERVICE.

(a) PLAN.—

(1) DEVELOPMENT.—In consultation with the Chief Information Officer of the Department of Defense, the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.) shall develop a plan for providing end-to-end electronic voting services (including services for registering to vote, requesting an electronic ballot, completing the ballot, and returning the ballot) in participating States for absent uniformed services voters under such Act who are deployed or mobilized to locations with limited or immature postal

service (as determined by the Presidential designee).

(2) SPECIFICATIONS.—The Presidential designee shall include in the plan developed under paragraph (1)—

(A) methods to ensure that voters have the opportunity to verify that their ballots are received and tabulated correctly by the appropriate State and local election officials;

(B) methods to generate a verifiable and auditable vote trail for the purposes of any recount or audit conducted with respect to an election; and

(C) an assessment of whether commercially available technologies may be used to carry out any of the elements of the plan.

(3) CONSULTATION WITH STATE AND LOCAL ELECTION OFFICIALS.—The Presidential designee shall develop the plan under paragraph (1) in consultation with appropriate State and local election officials to ensure that the plan may be implemented successfully in any State which agrees to participate in the plan.

(4) USE OF CONTRACTORS.—To the extent the Presidential designee determines to be appropriate, the Presidential designee may include in the plan developed under paragraph (1) provisions for the use of contractors to carry out any of the elements of the plan.

(5) SUBMISSION.—Not later than one year after the date of the enactment of this Act, the Presidential designee shall submit the plan developed under paragraph (1) to the Committees on Armed Services of the House of Representatives and Senate.

(b) IMPLEMENTATION.—If the Presidential designee determines it feasible, the Presidential designee shall implement the plan developed under subsection (a)—

(1) for a trial group of voters in participating States for elections for Federal office held in 2024; and

(2) for all such voters in participating States for elections for Federal office held in 2026 and any succeeding year.

SA 4394. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . LIMITATION ON AUTHORITIES IN FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.—

(1) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

“TITLE IX—LIMITATIONS

“SEC. 901. LIMITATIONS ON AUTHORITIES TO SURVEIL UNITED STATES PERSONS AND ON USE OF INFORMATION CONCERNING UNITED STATES PERSONS.

“(a) DEFINITIONS.—In this section:

“(1) PEN REGISTER AND TRAP AND TRACE DEVICE.—The terms ‘pen register’ and ‘trap and trace device’ have the meanings given such terms in section 3127 of title 18, United States Code.

“(2) UNITED STATES PERSON.—The term ‘United States person’ has the meaning given such term in section 101.